

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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WIGGINS,

Plaintiff,

v.

BLEDSON, et al.,

Defendants.

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CIVIL ACTION

Case No.: 3:11-cv-1298

Filed Electronically

**PLAINTIFF’S MOTION FOR LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

Plaintiff Ronnie Wiggins (“Plaintiff”) hereby moves pursuant to Federal Rule of Civil Procedure 15(a)(2) for leave to file a Second Amended Complaint.

The basis for Plaintiff’s motion is set forth as follows:

1. On November 22, 2011, Plaintiff filed an Amended Complaint arising out of his being stabbed 22 times at the Federal Penitentiary in Lewisburg. Among other claims, Plaintiff alleged that Defendant Bledson violated Mr. Wiggins’ Eighth Amendment rights when he was deliberately indifferent to a substantial risk of serious harm to Mr. Wiggins.

2. Over the course of the next three years, the precise theory and nature of Plaintiff’s Eighth Amendment claims against Defendant Bledson became clear to Defendant Bledson through: a) Plaintiff’s discovery requests; b) a Motion to Compel filed by Plaintiff seeking discovery well beyond the July 16, 2009 stabbing

and the facts related solely to Mr. Wiggins; c) Plaintiff's counsel's questioning of Defendant Bledsoe at his deposition; and d) Plaintiff's expert report.

3. Plaintiff's Second Amended Complaint merely seeks to add detail to the Complaint to what has been clear to Warden Bledsoe and his counsel throughout discovery in this case.

4. Defendant Bledsoe will not suffer any prejudice in any way by the proposed amendments.

5. In accordance with Local Rule 15.1, a proposed form of the Second Amended Complaint, together with a version highlighting the proposed amendments, are attached to this motion as **Exhibit A** and **Exhibit B**, respectively.

6. Counsel certifies that he has contacted Defendants' counsel pursuant to Local Rule 7.1, and that Defendants' counsel does not concur in the motion.

Therefore, for the reasons stated in the brief in support of this motion, Plaintiff hereby moves for permission to amend his Complaint in this case and file a Second Amended Complaint in the form attached to this motion as **Exhibit A**.

Date: July 17, 2015

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